

10/593697

Customer No. 22,852

Attorney Docket No. 05788.0409

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Silvia GHIDINI et al.** )  
 )  
Application No.: Not Yet Assigned )  
 ) Group Art Unit: Not Yet Assigned  
Filed: **September 20, 2006** )  
 ) Examiner: Not Yet Assigned  
National Stage of International Application No. )  
**PCT/EP2004/003627** under 35 U.S.C. 371 )  
 )  
For: **OPTICAL MODULATOR** )

**MAIL STOP PCT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. With the exception of the U.S. patents, a copy of each listed document is attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

Also enclosed is an English-language international search report from the European Patent Office in the PCT international application, from which this national phase U.S. application is derived.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 20, 2006

By: 

Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/blc

IDS Form PTO/SB/08: Substitute for form 1449A/PTO			<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			Application Number	
			Not Yet Available	
			Filing Date	
			September 20, 2006	
			First Named Inventor	
		Silvia GHIDINI		
Art Unit		Not Yet Available		
Examiner Name		Not Yet Available		
Attorney Docket Number		05788.0409		
Sheet	1	of	1	

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,524,076	06-04-1996	Rolland et al.	
		US-5,778,113	07-07-1998	Yu	
		US-5,991,471	11-23-1999	Yu	

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 03/036367	05-01-2003	Canon et al.		
		WO 2004/001857	12-31-2003	Wada et al.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		SOREF et al., "GUIDED-WAVE INTENSITY MODULATORS USING AMPLITUDE AND PHASE PERTURBATIONS", Journal of Lightwave Technology, Vol. 6, No. 3, pp. 437-444, (1988).	
		SOREF, "SILICON-BASED OPTOELECTRONICS", Proceedings of the IEEE, Vol. 81, No. 12, pp. 1687-1706, (1993).	
		HEISMANN et al., "LITHIUM NIOBATE INTEGRATED OPTICS: SELECTED CONTEMPORARY DEVICES AND SYSTEM APPLICATIONS", Editor KAMINOW et al., OPTICAL FIBER TELECOMMUNICATIONS IIIB, ed. Academic Press, San Diego, Chapter 9, pp. 377-404, (1997).	
		SOREF et al., "LARGE SINGLE-MODE RIB WAVEGUIDES IN GeSi-Si AND Si-on-SiO <sub>2</sub> ", Journal of Quantum Electronics, Vol. 27, No. 8, pp. 1971-1974, (1991).	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.